

PATENT
Customer No. 22,852
Attorney Docket No. 09013.0010-00000

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IN TRIAL OFFICE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Simon BATES et al.) Group Art Unit: 4112
)
Application No.: 10/590,204) Examiner: Bryan T. Kilpatrick
)
§ 371 filing date: May 4, 2007) Confirmation No.: 5565
)
For: ANALYSIS AND SCREENING OF)
SOLID FORMS USING THE)
ATOMIC PAIR DISTRIBUTION)
FUNCTION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the listed documents on the attached PTO SB/08 Form. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed non-patent literature documents are attached.

The following applies to the non-English document:

Bizid, A., et al. An English-language Abstract is part of the document.

Additionally this document is discussed in the Search Report of International Application No. PCT/US2005/006114 (WO 2005/082050), which is also enclosed with this Information Disclosure Statement.



Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

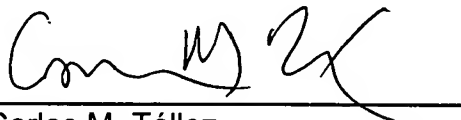
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

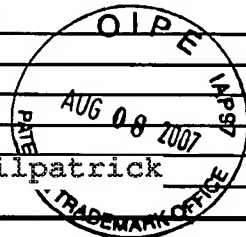
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Carlos M. Téllez
Reg. No. 48,638

Dated: August 8, 2007

IDS Form PTO/SB/08: Substitute for form 1449A/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>			<h3 style="text-align: center;">Complete if Known</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/590,204</td> </tr> <tr> <td>§ 371 Filing Date</td> <td>May 4, 2007</td> </tr> <tr> <td>First Named Inventor</td> <td>Simon BATES</td> </tr> <tr> <td>Art Unit</td> <td>4112</td> </tr> <tr> <td>Examiner Name</td> <td>Bryan T. Kilpatrick</td> </tr> <tr> <td>Attorney Docket Number</td> <td>09013.0010-00000</td> </tr> </table>		Application Number	10/590,204	§ 371 Filing Date	May 4, 2007	First Named Inventor	Simon BATES	Art Unit	4112	Examiner Name	Bryan T. Kilpatrick	Attorney Docket Number	09013.0010-00000
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Sheet	1	of	1													



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

NONPATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
/B.K./	1	Bizid, A., et al., "Study by diffraction of X-rays of liquid gallium between +50 and 110°C," Physica Status Solidi A, 23(1):135-145 (1974).	
/B.K./	2	Hattori, T., et al., "Structure of liquid GaSb under pressure," Journal of Non-Crystalline Solids, 312-314:26-29 (2002).	
/B.K./	3	Ikeya, T., et al., "Change in the structure of niobium pentoxide due to mechanical and thermal treatments," Journal of Non-Crystalline Solids, 105(3):243-250 (1988).	
/B.K./	4	Yamamura, Shigeo et al., "Change of the microstructure of microcrystalline cellulose with grinding and compression," Journal of Pharmacy and Pharmacology, 49(12):1178-1181 (1997).	
/B.K./	5	Hermann, A. et al., "Conformations and structures of desflurane and isoflurane," Journal of Fluorine Chemistry, 101(2):223-231 (2000).	
/B.K./	6	Sheth, et al., "Polymorphism in Piroxicam," Crystal Growth & Design, 4(6):1091-1098 (2004).	
/B.K./	7	Schmidt, M. U., "The role of qualitative and quantitative analyses," Workshop: "Pharmaceutical Applications of X-Ray Powder Diffraction," URL: http://www.anorg.chemie.uni-frankfurt.de/AK_Schmidt/epdic.pdf , pgs. 1-24 (2006).	
/B.K./	8	International Search Report for PCT/US2005/006114, mailed July 9, 2007, 6 pages.	

Examiner Signature	/Bryan Kilpatrick/ (07/20/2008)	Date Considered	07/20/2008
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.